



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
PROBATION DEPARTMENT

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
FILED: 4/17/2020

Petition for Summons
with Attached Request for
Court Action Direction Detailing Probable Cause

Supervisee: Andre Cunningham

Docket Number: 1:13CR00242-14 (DLC)

Sentencing Judge: Honorable Denise Cote, U.S. District Judge

Date of Original Sentence: October 8, 2014

Date of Revocation Sentence: August 13, 2019

Offense: Conspiracy to Distribute and Possess with Intent to Distribute Heroin and Cocaine Base in Violation of 21 U.S.C. 841 (b)(1)(B), a Class B Felony.

Violation Behavior: 1). Use of a controlled substance (marijuana); 2). Use of a controlled substance (Oxycodone); 3). Failure to report to the Probation Office; 4). Failure to attend anger management and substance abuse counseling at Tri-Center ;5). Failure to enroll and participate in anger management at Argus; 6). Failure to enroll in residual drug treatment at Palladia Star Hill

Original Sentence: Sixty-three (63) Months' Custody; followed by Forty-eight (48) Months' Supervised Release

Revocation Sentence: Six (6) Months' incarceration to be followed by Two (2) Years' Supervised Release

Type of Supervision: Supervised Release Date Supervision Commenced: January 31, 2020

PETITIONING THE COURT TO ISSUE A SUMMONS

The supervisee has not complied with the following condition(s) of supervision:

Nature of Noncompliance

1. ON OR BEFORE APRIL 6, 2020, THE SUPERVISEE FAILED TO COMPLY WITH THE SPECIAL CONDITION OF THREE (3) MONTHS OF INPATIENT DRUG TREATMENT, IN THAT HE WAS UNSUCCESSFULLY TERMINATED FROM SAMARITAN DAYTOP VILLAGE. SPECIAL CONDITION, GRADE C VIOLATION.

U.S. Probation Officer Recommendation:

The term of supervision should be: Revoked

Cunningham, Andre
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I declare under penalty of perjury that the foregoing is true and correct. (Supporting documentation is attached)

Respectfully submitted,

Michael Fitzpatrick
Chief U.S. Probation Officer
Margaret Carroll
Margaret Carroll
U.S. Probation Officer Specialist

Approved By:



Elisha Rivera
Supervisory U.S. Probation Officer

DATE: April 10, 2020